

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL NO.: 09-055
v.	*	SECTION: "C"
EVERNY GORDON	*	

* * *

FACTUAL BASIS

Should this matter have gone to trial, the Government would have proved, through the introduction of competent testimony and admissible tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the Indictment now pending against the defendant, EVERNY GORDON. The defendant has agreed to plead guilty to Count I of the Indictment charging her with Conspiracy to Commit Bank Fraud in violation of Title 18, United States Code, Section 371.

In or around September 2007, EVERNY GORDON was approached by Eddie Matthews ("Matthews") in New Orleans, Louisiana and was asked whether she was interested in making money by cashing altered checks. Matthews drove GORDON to various banks to cash checks Matthews had altered by "washing" the checks with a paint thinner like substance which was purchased at a Walmart retail outlet. These checks were stolen from residential mail boxes by

Matthews and/or by persons known to Matthews. Matthews altered the stolen checks by making the checks payable to GORDON. Matthews also altered the stolen checks so as to increase the amount of the check and Matthews forged the account holder's signature. In the memo section of the altered checks Matthews wrote "care staff", "mother's care staff" or "home health care".

On or about September 11, 2007 and during the course and in furtherance of the conspiracy, GORDON fraudulently presented and cashed an altered check in the amount of \$977.36 at Capital One Bank in Metairie, Louisiana, a bank whose deposits were insured by the Federal Deposit Insurance Corporation. GORDON knew the check to have been fraudulently and falsely altered by Matthews. GORDON presented a Louisiana Identification Card No. 009004373 to the Capital One Bank teller when she presented the altered check. U.S. Postal Inspectors confirmed the Louisiana Identification Card No. 009004373 was issued to EVERNY GORDON. A video recording showing EVERNY GORDON cashing the altered check at Capital One bank would be offered as evidence at trial.

On or about September 12, 2007, and during the course of and in furtherance of the conspiracy, GORDON fraudulently presented and cashed an altered check in the amount of \$950.00, at Whitney National Bank in Metairie, Louisiana, a bank whose deposits were insured by the Federal Deposit Insurance Corporation. GORDON knew the check was fraudulently and falsely altered by Matthew. GORDON presented a Louisiana Identification Card No. 009004373 to the Whitney National Bank teller when she presented the altered check. U.S. Postal Inspectors confirmed Louisiana Identification Card No. 009004373 was issued to EVERNY GORDON.

On or about September 20, 2007 and during the course of and in furtherance of the conspiracy, EVERNY GORDON fraudulently presented and cashed an altered check in the amount

of \$988.00, at Capital One Bank in New Orleans, Louisiana, a bank whose deposits were insured by the Federal Deposit Insurance Corporation. GORDON knew the check was fraudulently and falsely altered by Matthews. EVERNY GORDON presented Louisiana Identification Card No. 009004373 to the Capital One Bank teller when she presented the altered check. U.S. Postal Inspectors confirmed Louisiana Identification Card No. 009004373 was issued to EVERNY GORDON. A video recording showing GORDON cashing the altered check at Capital One Bank would be offered as evidence at trial.

On or about October 1, 2007, and during the course of and in furtherance of the conspiracy, GORDON fraudulently presented and cashed an altered check in the amount of \$989.50, at Capital One Bank (previously Hibernia National Bank) in New Orleans, Louisiana, a bank whose deposits were insured by the Federal Deposit Insurance Corporation. GORDON knew the check was fraudulently and falsely altered by Matthews. EVERNY GORDON presented Louisiana Identification Card No. 009004373 to the Capital One Bank teller when she presented the altered check. U.S. Postal Inspectors confirmed Louisiana Identification Card No. 009004373 was issued to EVERNY GORDON. A video recording showing GORDON cashing the altered check at Capital One Bank would be offered as evidence at trial.

On or about October 1, 2007, and during the course of and in furtherance of the conspiracy, GORDON fraudulently presented and cashed an altered check in the amount of \$800.00, at Capital One Bank (previously Hibernia National Bank) in Metairie, Louisiana, a bank whose deposits were insured by the Federal Deposit Insurance Corporation. GORDON knew that the check was fraudulently and falsely altered by Matthews. EVERNY GORDON presented Louisiana Identification Card No. 009004373 to the Capital One Bank teller when she presented the altered

check. U.S. Postal Inspectors confirmed Louisiana Identification Card No. 009004373 was issued to EVERNY GORDON.

On or about October 1, 2007 and during the course of and in furtherance of the conspiracy, GORDON fraudulently presented and cashed an altered check in the amount of \$978.47 at Whitney National Bank in Terrytown, Louisiana, a bank whose deposits were insured by the Federal Deposit Insurance Corporation. GORDON knew the check to have been fraudulently and falsely altered by Matthews. EVERNY GORDON presented Louisiana Identification Card No. 009004373 to the Whitney National Bank teller when she presented the altered check. U.S. Postal Inspectors confirmed Louisiana Identification Card No. 009004373 was issued to EVERNY GORDON.

Both the Government and the defendant, EVERNY GORDON, do hereby stipulate and agree the above facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and that the government would have proven these facts beyond a reasonable doubt at trial.

JULIA K. EVANS (D.C. BAR # 435461) (DATE)
ASSISTANT UNITED STATES ATTORNEY

DEFENDANT EVERNY GORDON (DATE)

MICHAEL REESE DAVIS, ESQUIRE (DATE)
COUNSEL FOR EVERNY GORDON
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